

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

Raymond D. Leslie,

:

Plaintiff : Civil Action 2:07-cv-00759

v. : Judge Marbley

Michael J. Astrue, Commissioner  
of Social Security, : Magistrate Judge Abel

Defendant :

**ORDER**

This matter is before the Court on Magistrate Judge Abel's June 13, 2008 Report and Recommendation. No objections have been filed to the Report and Recommendation. The Court, having reviewed the record *de novo*, determines that remanding this case to the Commissioner of Social Security under the provisions of 42 U.S.C. §405(g), sentence 6, to consider the new and material evidence presented by the plaintiff in support of this motion is proper.

Upon *de novo* review in accordance with the provisions of 28 U.S.C. §636(b)(1)(B), the Court **ADOPTS** the Report and Recommendation. Plaintiff's Raymond D. Lewis's January 24, 2008 motion to remand under sentence six (doc. 13) is **GRANTED**. This action is **REMANDED**. This is a pre-judgment remand. *See Faucher v. Secretary of Health and Human Services*, 17 F.3d 171, 174 (6th Cir. 1994). While the Commissioner is considering the new and material evidence on remand, this case is **ADMINISTRATIVELY CLOSED**.

s/ Algenon L. Marbley

Algenon L. Marbley  
United States District Judge